

15.02.00.00 - INVENTORY OF AIRSPACE LEASES AND INTERNAL USES

15.02.01.00 Inventory Requirements

Each airspace site shall be entered into RWPS. Refer to the RWPS User's Manual for inventory procedures.

The inventory data are used to obtain site-specific information and to prioritize sites with the highest development potential. The prioritized sites are marketed according to the district/region's annual marketing plan.

15.02.01.01 Identification Number

Each site is assigned a freeway lease area (FLA) number using district/region number, county abbreviation, highway route number, assigned site number, tenancy (e.g., 04-SF-101-0010-01). If a site is split for interim or other uses, each site should have a separate site number. If a site is combined with another site (airspace, excess land, property management), the combined site should be assigned the primary airspace site number.

Telecommunications sites are identified with a special site numbering system, using 9XXX, with an alpha for the last character (e.g., 04-SF-101-901A-01 is the first site on the route and the first carrier; 04-SF-101-902B-01 is the second site on the route and the second carrier on the site). This helps identify and track all carriers on the same site.

15.02.01.02 New Sites in Inventory

New sites identified as potential leases should be added to the inventory as soon as possible. Potential sites on new freeway projects should be added to the inventory within six months of completion of construction.

To assist in preparing the District Marketing Plan, Airspace should indicate which sites in the inventory have the highest revenue potential.

Proposals to lease new sites require DARC review, with a formal recommendation through HQ A/S to FHWA. The request must include a vicinity map and a site map, or an adequate substitute. After review, HQ A/S will route the request to FHWA for review. If approved by FHWA, the site can be added to the inventory through IRWS and RWPS. Telecommunications (wireless) facilities are added to

the inventory after preliminary site approval in order to deposit the processing fee directly into the Airspace Account (vs. 84 Account). To track the six-month local permitting period, it is necessary to open an account for each carrier at each site. Vicinity and site maps are provided by the carrier and should be on file prior to final approval.

15.02.01.03 Mapping

Maps shall be prepared for each airspace site in accordance with R/W Engineering Section 6.01.04.00 and Exhibit 6-EX-1B.

Each airspace site must have a vicinity map and a site map. The vicinity map shows the general location of the site and its relationship to the state highway and local roads. The site map shows the perimeter of the site and its relationship to the highway centerline and right of way lines, including all structures. It also denotes the square meters of leasable area, usable area, and the area restricted from use (e.g., footprint of the columns).

Refer to "Drafting and Plans Manual of Instructions" Lease Area Maps Figures 4-4.4A through 4-4.4D.

The vicinity map is the only mandatory requirement for adding a site to the inventory or obtaining conceptual approval. The site map can be requested from R/W Engineering if there is agreement on the size, shape, and area that will be leased **and if** the likelihood of leasing the site is high. Otherwise, use a copy of the record map with appropriate markings of the proposed airspace site, noting approximate boundaries and square meters. (Dual notations on maps of the area to be leased are allowed for local agency and lessee purposes, e.g., square meters/square footage).

15.02.02.00 Department Use of Airspace Sites

A Department program may need to use an airspace site for a future transportation highway project (new construction or modifying an existing highway facility) or reserve it for an internal use (temporary or permanent). Any vacant or soon to be vacant site may be held for "CALTRANS USE" if the requesting program's submittal is approved.

The DD approves such requests after Airspace analyzes the economic and local factors of removing the sites from the list of “available” sites. The analysis should include:

- Estimated fair market lease rate (FMLR) is based on the fair market value (FMV) of the site considering the highest and best use, the potential length of a lease, and the present worth of the income stream.
- Potential loss of possessory interest tax revenue to the local agency.
- Date the requesting program needs the site for proposed construction or modification to an existing facility.
- If the site is currently leased, probable cost to cancel the lease if the requesting program’s need is immediate.
- Environmental considerations of the proposed internal use, including potential neighborhood and community impact.

Airspace presents its analysis of the proposed use to DARC for a recommendation to the DD to approve or deny the request.

A final decision by the Headquarters Deputy Director of Project Development is required if the DD’s conclusion is at variance with other Department guidance, instructions, standards, or delegations for approval. HQ A/S approval is not required.

15.02.02.01 **Internal Use**

A Department program may need an airspace site for a permanent or temporary internal use. Examples of permanent uses are maintenance operations (e.g., vehicle storage), landscaping projects, employee parking, and park and ride lots. Examples of temporary uses are sites for relocated businesses due to seismic retrofit, internal construction staging areas, holding areas for historic buildings pending sale, and other immediate needs of the Department. If the site is not in the inventory, it should be added and coded as “CALTRANS USE” (“CT” in RWPS) to track potential savings to the Department by using its own real estate assets.

To ensure the Department is using its land assets properly, Airspace should annually review all sites

held for Caltrans use to ensure the need still exists for the current usage and the current usage is still the best use of the property, considering other potential uses and net return. Airspace must discontinue the internal use if it is a significant under utilization. However, Airspace should consider Caltrans needs as a high priority and recognize that there may not be an alternative site that will adequately serve the Department’s needs. If the Department intends to provide contractors with an airspace site for a construction staging area, this should be announced in the Construction Bid Package. If not, the site may be leased to the successful construction contractor at PMR.

15.02.02.02 **Existing Internal Uses and Potential Airspace Leases**

If a site currently held for Caltrans use can generate a higher return if leased, Airspace must prepare an economic analysis for the DD and request termination of the current use so the site can be developed for an external use.

If the internal use is an under utilization of the site and an adequate replacement site is available, Airspace and the user program may consider terminating the existing use and making the property available for lease. A Project Report is required, and the cost to relocate and reestablish the internal use at the new site should be considered. The analysis should consider the potential revenue against the cost to relocate the impacted facility and program, factoring in the probability of leasing the site and any risks the proposed lessee may encounter, thus reducing the probability of a successful lease. Relocation should occur only when the program using the site funds the cost.

The analysis may indicate (1) the existing internal use is proper, (2) the use should be discontinued and the site made available for lease, or (3) a portion of the property should be retained and a portion made available for lease as the program will no longer need the entire site.

A program (maintenance, construction) using a site must submit formal written notice to Airspace prior to vacating the site. The notice must state when the site will be vacated, the current condition of the site (e.g., hazardous materials) and list improvements that will remain. Airspace must coordinate termination of the use with the vacating program to ensure the site is ready to lease to a private entity.

15.02.02.03 **Property Retention Policy**

The procedures for internal and external uses of Airspace property are subject to the Department's Property Retention Policy, which requires the Property Review Committee (PRC) recommend any proposed use of Airspace property for **other than revenue generation**.

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